

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
NOVEMBER 26 – 29, 2012 – REGULAR SESSION**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on November 26, 2012 beginning at 11:00 a.m. in the Board of County Commissioners Hearing Room (Room # 102B), Annex Building, 1 N.E. 6<sup>th</sup> Street, Coupeville, Washington. Helen Price Johnson, Chair, Kelly Emerson, Member, and Angie Homola, Member were present. The meeting began with the Pledge of Allegiance.

*Note: To view the video recording of this meeting, go to the County's [website](#) or directly to [the video](#). If you are interested only in a specific topic, click on the timestamp located on [the agenda](#) for that particular issue to hear the discussion.*

PUBLIC INPUT OR COMMENTS

None

CONSENT AGENDA

*[Documents on file with the Clerk of the Board]*

Pre-audited bills: \$353,579.16  
Vouchers: \$261,107.44  
Electronic funds transfers: \$895.16  
Payroll: \$740.18  
Minutes: Regular Sessions 10/8/12, 9/17-18/2012

General Services Administration – Public Defense

Agreement No. ICA 13218 with WA State Office of Public Defense for purpose of improving public defense services in Island County. Amount: \$53,160 (RM-GSA-12-383)

Human Services

Contracts to provide short-term mental health services to qualified Island County residents:

- Contract with Heather Brown, M.A. - Contract No. HS-01-13; Amount: \$15,000 (RM-HS-2012-361)
- Contract with Patricia Lenehan, PhD - Contract No. HS-14-13; Amount: \$5,000 (RM-HS-2012-334)
- Contract with William Mattila, M.A - Contract No. HS-16-13; Amount: \$5,000 (RM-HS-2012-336)
- Contract with Margaret Potchatek, PsyD - Contract No. HS-22-13; Amount: \$10,000 (RM-HS-2012-368)
- Contract with Katlaina Rayne, LMHC - Contract No. HS-23-13; Amount: \$10,000 (RM-HS-2012-369)

Public Health

- Contract Amendment with WA State Department of Health – 2012-2014 Consolidated Contract. Amendment adds \$7,951 to the Swimming Beach Program and makes task/timeline adjustments to Adult Immunization and Public Health Emergency Preparedness Programs with no changes to the dollar amounts. Contract No. C16886, Amendment No. 5; Contract Amount: \$936,168, Amendment Amount \$7,951 (RM-HLTH-2012-351)

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
NOVEMBER 26 – 29, 2012 – REGULAR SESSION**

- Request for Exception\_from the competitive solicitation procurement for medical consultation for the Tuberculosis Program. Dr. Christopher Spitters for the 2013 contract period.
- Memorandum of Understanding with Island County Sheriff's Office for Jail nursing services. Public health nurse to provide nursing services to the Island County Jail in 2013. Contract no. HD-25-12; Contract Amount: \$55,000 (RM-HLTH-2012-379)
- Memorandum of Understanding\_with Island County Juvenile Court Services for 2013 Juvenile Detention Center nursing services. Public health nurse to provide nursing services to the Island County Juvenile Detention Center in 2013. Contract No. HD-26-12; Contract Amount: \$22,000 (not to exceed) (RM-HLTH-2012-380)

Public Works – County Roads

- Bid Award –2012 Uninterrupted Power Supply (UPS) Installation & Left Turn Phasing Modifications, CRP 11-01; Award to Sail Electric, Inc.; \$51,855.00

**ACTION TAKEN:**

**Motion by Commissioner Homola to approve the Consent Agenda as presented, second by Commissioner Emerson. Motion carried 3-0**

REGULAR AGENDA

*[Documents on file with the Clerk of the Board]*

Budget

Schedule Public Hearing: Resolution C-144-12 Amending the 2012 Island County Budget. The proposed resolution reflects budget changes due to unforeseen revenues and expenditures, such as grant awards, contracts, staffing changes, etc. Date & time: December 10, 2012 at 10:15 a.m.

Elaine Marlow, Budget Director, presented the staff report and request to schedule a public hearing to amend the 2012 budget.

**ACTION TAKEN:**

**Motion by Commissioner Homola to schedule a Public Hearing on December 10, 2012 at 10:15 a.m. for Resolution C-144-12 Amending the 2012 Island County Budget, second by Commissioner Emerson. Motion carried 3-0**

Conservation Futures

Grant Deed of Conservation Easement and Baseline Documentation Report with the Port of Coupeville for the Greenbank Farm.

Elaine Marlow, Director, presented the staff report and requested the Board authorize the Chair to sign both the Grant Deed of Conservation Easement and Baseline Documentation Report after the Port of Coupeville has executed the documents.

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
NOVEMBER 26 – 29, 2012 – REGULAR SESSION**

**ACTION TAKEN:**

**Motion by Commissioner Homola to authorize the Chair to sign the Grant Deed of Conservation Easement and Baseline Documentation Report after the Port of Coupeville has executed the documents, second by Commissioner Emerson. Motion carried 3-0**

**Commissioners**

Consider appointments and/or re-appointments to various boards and committees

Recommendation of Appointment/Reappointments to Ebey's Landing National Historical Reserve Trust Board, Positions 5 & 6

**ACTION TAKEN:**

**Motion by Commissioner Price Johnson to appoint Wilbur Bishop to Position 5 and reappoint Al Sherman to Position 6 on the Ebey's Landing National Historical Reserve Trust Board, second by Commissioner Emerson. Motion withdrawn.**

**ACTION TAKEN:**

**Motion by Commissioner Homola to reappoint Al Sherman to Position 6 on Ebey's Landing National Historical Reserve Trust Board, second by Commissioner Price Johnson. Motion carried 3-0**

**ACTION TAKEN:**

**Motion by Commissioner Price Johnson to appoint Wilbur Bishop to Position 5 on Ebey's Landing National Historical Reserve Trust Board, second by Commissioner Emerson. Motion carried 2-1 (*Commissioner Homola opposed*)**

Recommendation of Appointment/Reappointment to Historical Preservation Commission, Position 5

**ACTION TAKEN:**

**Motion by Commissioner Homola to appoint Dale Sterling to Position 5 on the Historical Preservation Commission, second by Commissioner Price Johnson. Motion withdrawn.**

**Motion by Commissioner Homola to reappoint Darrell Jacobsen to Position 5 on the Historical Preservation Commission, second by Commissioner Price Johnson. Motion carried 3-0**

Recommendation of Appointment/Reappointment to Housing Authority of Island County, Position 5

**ACTION TAKEN:**

**Motion by Commissioner Homola to reappoint Julia Hodson to Position 5 on the Housing Authority of Island County, second by Commissioner Emerson. Motion carried 3-0**

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
NOVEMBER 26 – 29, 2012 – REGULAR SESSION**

*Parks*

- Barnum Point Acquisition – Property Transfer Agreement – Transfer of Barnum Point from The Nature Conservancy (TNC) to Island County (RM-PW-2012-372) (PW-1220-133)

Bill Oakes, Public Works Director, presented the staff report and recommended transfer of Barnum Point from The Nature Conservancy (TNC) to Island County. Mr. Oakes added that with respect to Exhibit “D”, Exceptions to Title, two documents have not yet been fully signed and recorded with the Island County Auditor. The Board should include language in the motion that authorizes Public Works to fill in the data once the documents are recorded.

**ACTION TAKEN**

**Motion by Commissioner Homola to transfer Barnum Point from The Nature Conservancy to Island County, and to authorize Public Works to fill in the data once the documents are recorded, second by Commissioner Price Johnson. Motion carried 2-0 (Commissioner Emerson abstained)**

- Assignment and Acceptance of Conservation Easement – Nature Conservancy and Island County; Barnum Point (RM-PW-2012-372) (PW-1220-133)

Bill Oakes, Public Works Director, provided the staff report and recommended approval of the Assignment and Acceptance of Conservation Easement. The Assignment assigns responsibility for the Conservation Easement to the County from the Nature Conservancy with no necessary changes.

**ACTION TAKEN**

**Motion by Commissioner Homola to approve the Assignment and Acceptance of Conservation Easement to the County from the Nature Conservancy, second by Commissioner Price Johnson. Motion carried 2-0 (Commissioner Emerson abstained)**

**Public Works - Solid Waste**

Schedule Public Hearing: Ordinance C-143-12 (SW-21-12) Establishing Service Levels for Residential Recycling Collection in Whidbey Island and Participating Incorporated Towns and Cities; Creating New Island County Code Chapter 13.04 – Curbside Recycling. Suggested date and time: December 20, 2012 at 1:00 p.m.

Bill Oakes, Public Works Director, provided the staff report and recommended the Board set a Public Hearing on December 20, 2012 at 1:00 p.m. on Ordinance C-143-12 Establishing Service Levels for Residential Recycling Collection in Whidbey Island and Participating Incorporated Towns and Cities. The process would require a combined service that includes both trash services and recycling services. Recycling services may be purchased separately. Nothing in the ordinance would prevent opting out of either service and self-hauling if that is the preference.

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
NOVEMBER 26 – 29, 2012 – REGULAR SESSION**

**ACTION TAKEN**

**Motion by Commissioner Price Johnson to schedule a Public Hearing on December 20, 2012 at 1:00 p.m. on Ordinance C-143-12 Establishing Service Levels for Residential Recycling Collection in Whidbey Island and Participating Incorporated Towns and Cities, second by Commissioner Homola. Motion carried 3-0**

At this point the Board began a brief discussion on the draft Ordinance Amending Island County Code Chapter 9.06, Discharge of Firearms Prohibited, by Establishing Procedures for Designation of Additional No Shooting Areas through a Petition Method. Dialogue would continue again at 2:30 p.m. in the afternoon.

**COMMISSIONERS COMMENTS AND ANNOUNCEMENTS**

*[This time provides an opportunity for Commissioners to discuss events, actions or issues that may generate public comment, media calls, or otherwise be of interest to the Board of County Commissioners.]*

*Commissioner Emerson*

- Central Whidbey Sportsmen Association will hold its first Appleseed Project April 20-21

*Commissioner Homola*

- Reminded the Board she will be out of the office for approximately 2 weeks in December
- Extended welcome to Commissioner-Elect Jill Johnson and offered her help in the transition
- Extended an invitation to Megan Hansen, new Editor at Whidbey News Times, to tour Island County facilities

*Commissioner Price Johnson*

- Attended State Auditor's Exit Conference - it was the best audit Island County has had in the past 11 years with no findings or management items

The Board recessed at 11:57 a.m., reconvening at 2:30 p.m. to provide for supplemental public comment, continue review of the draft Goals and Policies component of the proposed Shoreline Master Program Update, and review the draft Ordinance Amending Island County Code Chapter 9.06, Discharge of Firearms Prohibited, by Establishing Procedures for Designation of Additional No Shooting Areas through a Petition Method as requested by the Norcliffe petition.

**PUBLIC INPUT OR COMMENTS**

Supplemental public comments were received from:

- Garrett Newkirk  
*(Excessive Navy Flights)*
- Jason Joiner, Whidbey Island Association of Realtors  
*(Shoreline Management Program Update)*

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
NOVEMBER 26 – 29, 2012 – REGULAR SESSION**

Planning & Community Development

Resolution C-125-12 (PLG-007-12) Updating and Adopting Amendments to the Island County Shoreline Master Program Element of the Comprehensive Plan and Adoption of Chapter 17.05A ICC to Replace Chapters 16.21 and 17.05 ICC

Robert Pederson, Planning & Community Development Director, and Karen Stewart, SMP Coordinator/Senior Planner continued their discussion with the Board on the draft document.

The public hearing would continue on Tuesday, November 27, 2012 at 2:00 p.m.

Following a brief recess at 4:13 p.m., the Board reconvened at 4:17 p.m.

Commissioners

Draft Ordinance Amending Island County Code Chapter 9.06, Discharge of Firearms Prohibited, by Establishing Procedures for Designation of Additional No Shooting Areas through a Petition Method

The Board continued their discussion on the Norcliffe petition and request that the Commissioners provide for designation of additional no shooting areas through a petition method.

The conversation would continue on Wednesday, November 28, 2012 at 3:00 p.m.

The Chair recessed the meeting at 4:47 p.m. to Tuesday, November 27 at 2:00 p.m. for a continuation of the Shoreline Master Program Update Public Hearing.

**NOVEMBER 26, 2012 REGULAR SESSION RECONVENED NOVEMBER 27, 2012**

At 2:00 p.m. the Board reconvened for public hearing.

PUBLIC HEARINGS

*[Documents on file with the Clerk of the Board]*

Planning & Community Development

2:00 p.m. Public Hearing: Resolution C-125-12 (PLG-007-12) Updating and Adopting Amendments to the Island County Shoreline Master Program Element of the Comprehensive Plan and Adoption of Chapter 17.05A ICC to Replace Chapters 16.21 and 17.05 ICC

Also of Record and on file with the Clerk of the Board:

Shoreline Goals and Policies dated November 27, 2012 (GMA No. 10930)

Shoreline Regulations dated November 27, 2012 (GMA No. 10931)

Attendance Sheets (GMA No. 10973)

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING  
NOVEMBER 26 – 29, 2012 – REGULAR SESSION**

Written comment provided by WA State Parks and Recreation Commission dated Nov 27, 2012 (*GMA No. 10939*)

Handout provided by Dennis Gregoire, *New Shoreline Environmental Designations Requested for Port of South Whidbey Property and Island County Parks (GMA No. 10997)*

Robert Pederson, Planning & Community Development Director, and Karen Stewart, SMP Coordinator/Senior Planner, provided the staff report. Ms. Stewart summarized the modifications established to date.

Public comments were offered by:

- Ron Young
- Craig McKenzie
- Dennis Gregoire
- Jason Joiner on behalf of Whidbey Island Association of Realtors
- Steve Erickson on behalf of Whidbey Environmental Action Network
- Gary Wray

There being no additional testimony, public comment closed.

The Board engaged in dialogue with staff and David Pater from the Department of Ecology in an attempt to reach a consensus on the various components of the proposed Shoreline Master Program Update.

At 4:35 p.m. the Board recessed, reconvening Regular Session on Wednesday, November 28, 2012 at 3:00 p.m. to consider the Norcliffe petition. Further deliberation on the proposed Shoreline Master Program Update will continue on Thursday, November 29, 2012 at 10:00 a.m.

**NOVEMBER 26, 2012 REGULAR SESSION RECONVENED NOVEMBER 28, 2012**

At 3:00 p.m. the Board reconvened Regular Session to discuss the Norcliffe petition and draft Ordinance Amending Island County Code Chapter 9.06, Discharge of Firearms Prohibited, by Establishing Procedures for Designation of Additional No Shooting Areas through a Petition Method.

Following discussion, it was agreed to table the draft ordinance to December 18, 2012, time to be determined, for further deliberation.

At 3:50 p.m. the Board recessed, reconvening Regular Session on Thursday, November 29, 2012 at 10:00 a.m. to continue Board deliberation on the proposed Shoreline Master Program Update.

**NOVEMBER 26, 2012 REGULAR SESSION RECONVENED NOVEMBER 29, 2012**

At 10:05 a.m. the Board reconvened Regular Session to consider changes to the proposed Island County Shoreline Master Program Update.

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NOVEMBER 26 – 29, 2012 – REGULAR SESSION**

Planning & Community Development

Resolution C-125-12 (PLG-007-12) Updating and Adopting Amendments to the Island County Shoreline Master Program Element of the Comprehensive Plan and Adoption of Chapter 17.05A ICC to Replace Chapters 16.21 and 17.05 ICC (*Public Hearing Closed*)

With Robert Pederson, Planning & Community Development Director, and Karen Stewart, SMP Coordinator/Senior Planner present, the Commissioners continued their work through the draft document transmitted from the Planning Commission.

It was agreed that the Shoreline Master Program Update, as modified, will be placed on the December 3, 2012 agenda for scheduling of a new public hearing on December 18, 2012 at 6:30 p.m., subject to Code Reviser review. Alternatively, the public hearing would be scheduled for 3:00 p.m. on December 31, 2012.

There being no further business to come before the Board the meeting adjourned at 12:35 p.m. The Board will meet next in Regular Session on December 3, 2012 beginning at 10:00 a.m.

BOARD OF COUNTY COMMISSIONERS  
ISLAND COUNTY, WASHINGTON

\_\_\_\_\_  
Helen Price Johnson, Chair

\_\_\_\_\_  
Kelly Emerson, Member

*Angie Homola, Member: Absent When Signed*

ATTEST:

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Elaine Marlow, Clerk of the Board